



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2900 FAX (603) 271-2456



March 1, 2004

**CERTIFIED MAIL  
(# 7000 1670 0000 0585 8995)  
RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION**

Mobil Oil Corp QNE  
468 Daniel Webster Highway  
Merrimack, New Hampshire 03054

Mr. Craig Caron, Owner

**Mobil Oil Corp QNE  
Merrimack, New Hampshire  
EPA ID # NHD986481703**

Dear Mr. Caron:

On February 18, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Mobil Oil Corp QNE ("Mobil"). The purpose of the inspection was to determine Mobil's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and a review of the information provided to DES, the following deficiencies in your hazardous waste management program were documented:

**1 Env-Wm 509.02(a)(2) – Personnel Training**

A review of Mobil's personnel training program revealed that Craig Caron is the Emergency Coordinator and signs hazardous waste manifests. Mr. Caron did not receive hazardous waste management training in four (4) of the past five (5) years (1999-2002).

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling/managing hazardous waste.

DES requests that Mobil conduct and document hazardous waste training and annual reviews for all Emergency Coordinators, and for employees who handle/manage hazardous waste and/or sign hazardous waste manifests.

*Mr. Caron received hazardous waste management training in 2003 and is therefore up-to-date with the training requirements. No further action is required.*

2 Env-Wm 509.02(a)(5) – Contingency Plan

A review of Mobil's contingency plan revealed deficiencies regarding the following:

- (a) Description of evacuation signal(s), and description/sketch of the primary and alternate evacuation routes;
- (b) The specific information to provide to local authorities during an emergency; and
- (c) The facility contingency plan did not list the specific elements to be included in a 15-day report, listed in 40 CFR 265.56(j), that address details of the incident.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Mobil revise its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

*In a submittal dated February 23, 2004, Mr. Craig Caron, Owner, provided a copy of the facility's revised contingency plan. No further action is required.*

3 Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, one (1) container of universal waste lamps, located in the back room, was not closed.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that Mobil ensure that containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

*In a submittal dated the day of the inspection, Mr. Caron stated that the container of universal waste lamps was closed. No further action is required.*

4 Env-Wm 1102.03(a)(4) and Env-Wm 1 2.04 Universal Waste Lamps

At the time of the inspection, one (1) container of universal waste lamps, located in the back room, was not marked with the words "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

Env-Wm 1102.03, which references Env-Wm 1112.04, requires universal waste handlers to ensure all container(s) holding universal waste to be clearly labeled or marked with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

DES requested that Mobil clearly label the container of universal waste lamps with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

*In the submittal dated the day of the inspection, Mr. Caron stated that the container of universal waste lamps was labeled correctly. No further action is required.*

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of the submittals describing the corrective measures taken by Mobil to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect

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your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the project manager, Sue Francesco, or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Nall of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

 **COPY**

Kenneth W. Marschner, Administrator  
Waste Management Programs  
Waste Management Division

cc: DB/RCRA/NOPV/~~RCB~~/Archives  
Anthony P. Giunta, P.G., Director, WMD  
Gretchen Rule, Administrator, DES Legal Unit

E-mail: JJD/SD/SN/PM

Enclosure: Hazardous Waste Generator Inspection Report